

O L S H A N

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September 6, 2019

RECEIVED

VIA FAX (585-613-4085)

SEP - 6 2019

Hon. Marian W. Payson  
United States Magistrate Judge  
100 State Street  
Rochester, New York 14614

MARIAN W. PAYSON  
U.S. Magistrate Judge  
Western District of New York

Re: *Tadiem, Inc., d/b/a Bensimon Byrne v. Constellation Brands, Inc.* (19-cv-6215  
(CJS) (MWP))

Dear Judge Payson:

This firm is counsel to Plaintiff Tadiem, Inc. but I write on behalf of both parties to this action to request a brief adjournment of the deadline to conduct an initial mediation session, from October 3, 2019 to October 21, 2019. Counsel for the parties have selected Mr. William Bauer to serve as mediator, and he has agreed. Due to the parties' and counsels' prior commitments, and religious holidays, we have been unable to find an available date prior to October 3, 2019 for the initial mediation session. We have, however, agreed on October 21, 2019. Mr. Bauer has confirmed his availability for October 21, 2019 as well.

Richard McGuirk, counsel for the Defendant, has reviewed and approved this letter.

We thank the Court for its attention to this matter.

Respectfully,

/s/ Brian A. Katz

Brian A. Katz

cc:

Nixon Peabody LLP  
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Attn: Richard A. McGuirk  
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Request granted.  
SO ORDERED  
Marian W. Payson  
WMJ  
9/6/19